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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,829	06/14/2002	Yoon-Deuk Seo	GIPPL2.001APC	4125
20995	7590	03/11/2005	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			ANWAH, OLISA	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/914,829

Applicant(s)

SEO, YOON-DEUK

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-12 and 15-22 is/are rejected.
- 7) ☒ Claim(s) 13 and 14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-5, 7-12, 15-20 and 22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Goetcheus et al, U.S. Patent No. 5,444,767 (hereinafter Goetcheus).

Regarding claim 1, Goetcheus discloses an apparatus for recording voice information signal on a separate voice card having voice information storing means and interface means (see Figure 1), comprising:

a telephone signal transceiver for transferring and receiving telephone signals from and to a telephone line (18);

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a Dual Tone Multiple Frequency (DTMF) signal detector for detecting DTMF signals among signals received by said telephone signal transceiver (32);

an Automatic Voice Response System (ARS) memory for storing automatic voice message to be output via said telephone signal transceiver (30);

a voice signal processor (34) for processing voice information signal received by said telephone signal transceiver;

a voice card interface for outputting the voice information signals processed by said voice signal processor to said interface means of said voice card (see Figure 3); and

a controller (38) for controlling each of said constituents.

Regarding claim 2, see Figure 1.

Regarding claim 3, see Figure 2.

Regarding claim 4, see 34.

Regarding claim 5, see 34.

Regarding claim 7, see Figures 2-4.

Regarding claim 8, see Figure 7.

Regarding claim 9, see Figure 7.

Regarding claim 10, see Figure 7.

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Regarding claim 11, see Figure 7.

Regarding claim 12, see Figure 7.

Regarding claim 15, see Figure 7 and column 5.

Regarding claim 16, see Figure 7 and column 5.

Regarding claim 17, Goetcheus discloses a voice card (see Figure 4) for storing and playing voice comprising:

an interface means (24) for transferring and receiving control signals and voice information signals from and to an external voice recording apparatus;

a memory means (52) for storing, in response to said control signals, voice information signals inputted to said interface means;

a voice play switch (54); and

a voice playing means for converting, triggered by said voice play switch, the voice information signals stored in said memory means to voice signals and outputting said voice signals (col. 7, lines 30-35).

Regarding claim 18, see Figures 4 and 5.

Regarding claim 19, see Figure 4.

Regarding claim 20, see column 7.

Regarding claim 22, see Figure 6.

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 6 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Goetcheus.

Regarding claim 6, Goetcheus fails to disclose the claimed volume-adjusting process. "Official Notice" is taken that this limitation is both old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goetcheus with a volume-adjusting process. This modification would have improved the convenience of Goetcheus by allowing a caller to personalize messages as suggested by Goetcheus (column 2).

Regarding claim 21, Goetcheus fails to teach the claimed informing means. "Official Notice" is taken that this limitation is both old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to modify Goetcheus with an informing means. This modification would have improved modernized Goetcheus by allowing different amounts of memory to be utilized as suggested by Goetcheus (column 8).

Allowable Subject Matter

5. Claims 13 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

Goetcheus teaches the central facility computer system 12 can be provided with the ability to play back the message stored in memory 39 so that a customer (telephone 20) can listen to the message and override the message with a different message if the message is not suitable (col. 5, lines 30-35). However Goetcheus fails to teach the Teddy Bear (Figure 6) can be provided with the ability to play back the message stored in the voice card so that a customer (telephone 20) can listen to the message. Therefore Goetcheus does not disclose controlling said interface means of said voice card and said telephone signal transceiver,

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in response to said second tone being detected by said DTMF detector, to output voice information signals recorded in said voice card to said telephone line through said telephone signal transceiver as claimed in claims 13 and 14.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A

Olisa Anwah
Patent Examiner
March 2, 2005


FAN TSANG
SUPERVISORY PATENT EXAMINER
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